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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,732	05/17/2007	Andrew Ian Cooper	T3129(C)	3545

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UNILEVER PATENT GROUP
800 SYLVAN AVENUE
AG West S. Wing
ENGLEWOOD CLIFFS, NJ 07632-3100

EXAMINER

NEGRELLO, KARA B

ART UNIT	PAPER NUMBER
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1796

NOTIFICATION DATE	DELIVERY MODE
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09/07/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentgroupus@unilever.com

ADVISORY ACTION

Response to Amendment

1. Applicants' amendment to the claims filed August 26, 2010 in response to the final rejection dated June 3, 2010 will not be entered.
2. The claims as amended present new issues requiring further consideration and search. Applicant has amended the independent claims (1 and 11) to include any or all of the following limitations: 1) "...from which substantially all of the water and oil have been removed," pertaining to the water-soluble porous bodies, 2) "...said water-soluble polymeric material forming a homogenous solution in water," 3) "...and comprise two types of pores: one from the sublimation of solid ice and one for the sublimation of the oil phase," and 4) explicitly stating that the water-soluble material is a "water-soluble" natural gum, a "water-soluble" polysaccharide, a "water-soluble" cellulose derivative, or a "water-soluble" homopolymer or copolymer comprising certain co-monomers. None of the previously presented claims recited any of the aforementioned limitations. Thus, these amendments to the claims require additional search and consideration to determine the patentability of the claims.
3. Furthermore, instant claim 1 also contains new matter. Instant claim 1 recites "from which substantially all of the water and oil have been removed..." Applicant cites page 3, lines 17-18 and page 17, lines 18-19 of the specification to support this amendment. Page 3, lines 17-18 and page 17, lines 18-19 of the specification both recite "...subsequently removing the bulk of the continuous and dispersed phases." The term "substantially all of" is not necessarily equivalent to "the bulk of" as recited in the

Art Unit: 1796

specification. "The bulk of" is not defined as "substantially all of" the continuous and dispersion phases. "The bulk of" is a much broader range and can include any amount over 50wt% of the continuous and dispersion phases, whereas removal of "substantially all of" the water and oil would result in a significantly smaller wt% of water and oil remaining in the material. Applicant has not pointed to any portion of the specification, and examiner has not found any support for the phraseology "from which substantially all of the water and oil have been removed" in the specification as originally filed. Additionally, the language of amended claim 1 has not established that water is the continuous phase and oil is the discontinuous (dispersed) phase, or vice versa.

Response to Arguments

4. Applicants' arguments with respect to claims have been considered but are moot in view of the amendments to the independent claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KARA NEGRELLI whose telephone number is (571)270-7338. The examiner can normally be reached on Monday through Friday 9:30 am EST to 6:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (571)272-1302. The fax phone

Art Unit: 1796

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KARA NEGRELLI/
Examiner, Art Unit 1796

/RANDY GULAKOWSKI/
Supervisory Patent Examiner, Art Unit 1796